

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1570  
U.S.P.T.O.  
030304

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

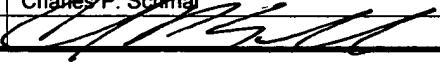
(Only for new nonprovisional applications under 37 CFR § 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g., PTO/SB/17) (submit an original and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference sequence listing, a table, or a computer program listing appendix or computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <input type="checkbox"/> Informal <input checked="" type="checkbox"/> Formal [Total Sheets 7]	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
5. Oath or Declaration  a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).	10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	11. <input type="checkbox"/> English Translation Document (if applicable)
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 10/285,723 Prior application information: Examiner: David C. Comstock _____ Group / Art Unit: 3732 _____	12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations (Foreign)
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.	13. <input type="checkbox"/> Preliminary Amendment
	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
	16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
	17. <input checked="" type="checkbox"/> Other: Copy of Recorded Assignment of Parent Case.....

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number:	OR	<input checked="" type="checkbox"/> Correspondence address below
Name: Woodard, Emhardt, Moriarty, McNett & Henry LLP		
Address: Bank One Center/Tower 111 Monument Circle, Suite 3700		
City: Indianapolis	State: IN	Zip Code: 46204-5137
Country: USA	Telephone: (317) 634-3456	Fax: (317) 637-7561
Name (Print/Type): Charles P. Schmal	Registration No. (Attorney/Agent): 45,082	
Signature: 	Date: March 3, 2004	

**Express Mail Label Number EL 983135440 US****Date of Deposit March 3, 2004**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR Section 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of person mailing paper or fee

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

22264  
10/792331

030304

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

030304

5750  
U.S.  
P.

# FEE TRANSMITTAL FOR FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$770.00)

Attorney Docket Number 4002-3484

## Complete if Known

Application Number	New CON Application
Filing Date	March 3, 2004
First Named Inventor	Bret BERRY
Group Art Unit	3732
Examiner Name	Unassigned

## METHOD OF PAYMENT

## FEE CALCULATION (continued)

Check  Credit card  Money  Other  None  
Order

 Deposit Account:

Deposit Account Number

23-3030

Deposit Account Name

Woodard, Emhardt, Moriarty,  
McNett & Henry LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	770.00
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$ 770.00)					

## 2. EXTRA CLAIM FEES

Total Claims	-20** =	Extra Claims	Fee From Below	Fee Paid
18	-20** =	0	X 18.00	= 0.00
2	-3** =	0	X 86.00	= 0.00
				=

Large Entity		Small Entity	
		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2202	9
1201	86	2201	43
1203	290	2203	145
1204	86	2204	43
1205	18	2205	9
SUBTOTAL (2) (\$ 0.00)			

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

## Large Entity Small Entity

Fee Description	Fee Paid
Surcharge – late filing fee or oath	
Surcharge – late provisional filing fee or cover sheet	
Non-English specification	
For filing a request for ex parte reexamination	
Requesting publication of SIR prior to Examiner's Action	
Requesting publication of SIR after Examiner's Action	
Extension for reply within first month	
Extension for reply within second month	
Extension for reply within third month	
Extension for reply within fourth month	
Extension for reply within fifth month	
Notice of Appeal	
Filing a brief in support of an appeal	
Request for oral hearing	
Petition to institute a public use proceeding	
Petition to revive – unavoidable	
Petition to revive – unintentional	
Utility issue fee (or reissue)	
Design issue fee	
Plant issue fee	
Petitions to the Commissioner	
Petitions related to provisional applications	
Submission of Information Disclosure Stmt	
Recording each patent assignment per property (times number of properties)	
Filing a submission after final rejection (37 CFR 1.129(a))	
For each additional invention to be examined (37 CFR 1.129(b))	
Request for Continued Examination (RCE)	
Request for expedited examination of a design application	
Other Fee (specify)	

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

Name (Print/Type)

Charles P. Schmal

Registration No.  
(Attorney/Agent)

45,082

Telephone (317) 634-3456

Signature

Date March 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need any assistance in completing this form, call 1-800-PTO-9199 and select option 2.